

KAJIAN KOMPARATIF MENGENAI PERLINDUNGAN HUKUM BAGI PEKERJA TRANSPORTASI ONLINE DI INDONESIA DAN SINGAPURA

ABSTRAK

Perkembangan teknologi digital telah mendorong munculnya layanan transportasi online yang memberikan kemudahan bagi masyarakat dalam memenuhi kebutuhan transportasi. Di balik perkembangannya, muncul persoalan mengenai status hukum dan perlindungan hukum bagi para pekerja transportasi online. Penelitian ini bertujuan untuk mengkaji status hukum pekerja transportasi online serta membandingkan bentuk perlindungan hukum yang diberikan kepada pekerja transportasi online di Indonesia dan Singapura. Penelitian ini merupakan penelitian hukum normatif yang menggunakan pendekatan perundang undangan dan pendekatan perbandingan. Bahan hukum diperoleh melalui studi kepustakaan yang terdiri atas bahan hukum primer, sekunder, dan tersier. Selanjutnya, bahan hukum dianalisis secara kualitatif dengan metode deskriptif analitis. Hasil penelitian menunjukkan bahwa pekerja transportasi online di Indonesia masih berstatus sebagai mitra berdasarkan perjanjian kemitraan. Status tersebut menyebabkan pekerja transportasi online tidak memperoleh perlindungan hukum sebagaimana pekerja dalam hubungan kerja yang diatur dalam peraturan perundang undangan ketenagakerjaan. Perlindungan yang tersedia bagi pekerja transportasi online pada umumnya diberikan melalui program BPJS Ketenagakerjaan dengan skema Bukan Penerima Upah, di mana kepesertaan dilakukan secara mandiri oleh pekerja tanpa keterikatan dengan pemberi kerja. Sementara itu, Singapura melalui Platform Workers Act 2024 telah membentuk status hukum khusus bagi pekerja transportasi online sebagai pekerja platform. Melalui pengaturan tersebut, pekerja platform memperoleh perlindungan yang mencakup kewajiban kepesertaan dalam *Central Provident Fund*, perlindungan atas risiko kecelakaan kerja melalui *Work Injury Compensation*, serta hak untuk membentuk *Platform Work Associations* sebagai wadah perwakilan pekerja. Perbedaan pengaturan tersebut menunjukkan bahwa Singapura telah memiliki kerangka hukum yang secara khusus dirancang untuk mengakomodasi karakteristik pekerjaan berbasis platform digital, sedangkan pengaturan di Indonesia masih bertumpu pada konsep kemitraan.

Kata Kunci: Pekerja Transportasi Online, Hubungan Kemitraan, Perlindungan Hukum, *Platform Workers Act*, Ketenagakerjaan.

COMPARATIVE STUDY OF LEGAL PROTECTION FOR ONLINE TRANSPORTATION WORKERS IN INDONESIA AND SINGAPORE

ABSTRACT

The development of digital technology has spurred the emergence of online transportation services that make it easier for the public to meet their transportation needs. Behind this development, however, issues have arisen regarding the legal status and legal protection of online transportation workers. This study aims to examine the legal status of online transportation workers and to compare the forms of legal protection provided to online transportation workers in Indonesia and Singapore. This study is a normative legal study that employs a statutory approach and a comparative approach. Legal materials were obtained through a literature review consisting of primary, secondary, and tertiary sources. Subsequently, the legal materials were analyzed qualitatively using a descriptive-analytical method. Research findings indicate that online transportation workers in Indonesia are still classified as partners under partnership agreements. This status means that online transportation workers do not receive the legal protections afforded to workers in an employment relationship as regulated by labor laws and regulations. The protections available to online transportation workers are generally provided through the BPJS Ketenagakerjaan program under the “Non-Wage Earner” scheme, in which workers enroll independently without any affiliation with an employer. Meanwhile, Singapore, through the Platform Workers Act 2024, has established a specific legal status for online transportation workers as platform workers. Under this framework, platform workers receive protections that include mandatory enrollment in the Central Provident Fund, protection against workplace accidents through the Work Injury Compensation scheme, and the right to form Platform Work Associations as a representative body for workers. These differences in regulations demonstrate that Singapore already has a legal framework specifically designed to accommodate the characteristics of digital platform-based work, whereas regulations in Indonesia still rely on the concept of partnership.

Keywords: *Online Transportation Workers, Partnership Relationships, Legal Protection, Platform Workers Act, Labor Relations.*